IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 15736 of 2004

Between:

J. Joycee Winny, D/o. J. Ravi Kumar,
Being Minor Rep. by her Father J. Ravi Kumar, S/o. Aankaiah, aged

45 Years, Occ: Bank Employee,
R/o. D.M. Palli, Bapatla, Guntur.

..... PETITIONER

AND

1 The Convenor, EAMCET - 2004, Jawaharlal Nehru Technological

University, Masab Tank, Hyderabad.
2 Acharya N.G. Ranga Agricultural University, Rajendra Nagar,

Hyderabad –500 030,Rep. by Registrar,
3 The Principal, College of Home Science,
Bapatla, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in not reserving any seat to the BC-C category in B.Tech (Agricultural Engineering) and not admitting the petitioner herein in B.Tech (Agricultural Engineering) Course under BC-C Quota as illegal, improper, unjust and contrary to law and violative of Articles 15(4) of the Constitution of India and consequently direct the 2nd respondent herein to give admission in the B.Tech (Agricultural Engineering) under the BC-C Quota

Counsel for the Petitioner:MR.B.THIMOTHI

Counsel for Respondent No.1: MR.S.S.PRASAD

Counsel for Respondent No.2: Mr.B.Siva Reddy.

The Court at the stage of admission made the following ORDER: Petitioner, who belongs to B.C.(C) category and secured 039127 rank in Eamcet-2004 conducted by the first respondent, applied for B.Tech (Ag. Engg.), B.Tech (Dairying), B.Tech (Food Science) and B.Sc.(CA&BM) under M.P.C. stream to the second respondent. On intimation, petitioner attended the spot selection on 23.08.2004 and opted for B.Tech (Ag. Engg.), but she was given admission into B.Tech (Food Science). Questioning the action of the respondents in not considering the request of the petitioner for admission into B.Tech(Ag. Engg.), this writ petition has been filed contending that if the total number of seats 30 are taken into consideration, one seat has to be reserved in favour of B.C.(C) category, which comes to 7.5% and if the same is rounded of, eight seats have to be earmarked for A, B, C, D categories of B.C. community and due to the wrong policy adopted by the second respondent-University, the petitioner was denied admission into B.Tech (Ag.Engg.).

Per contra, a counter-affidavit on behalf of respondents 2 and 3 has been filed contending that out of total 30 seats in B.Tech (Ag. Engg.), one seat was reserved for physically handicapped person and remaining seats have to be allocated to local/unreserved candidates in the ratio of 85% and 15%, which comes to 25 and 4 seats respectively. The 25 seats are to be allotted to different local areas in the ratio of 42:36: 22 respectively, which comes to 11, 9 and 5 seats respectively. These seats have to be allocated to different reserved social groups. The total number of seats to be allotted to BC category are only 7 and they have to be allotted to different social groups of different areas, i.e. A-2(7%), B-3(10%), C- Nil(1%), and D-2(7%). It is stated that number of seats have tobe rounded of as per the fraction. As the fraction is less in case of BC(C) category, no seat can be allocated under it. It is further

stated that as per the rank secured by the petitioner, she could get a seat in B.Tech (Food Science) under AU-OC and accordingly she was given admission into it.

Heard learned counsel on either side.

The main grievance of the petitioner is that though she applied for admission into B.Tech(Ag.Engg.), under B.C.(C) category, however, she was given a seat in B.Tech (Food Science). Having regard to the admission rules issued for the academic year 2004-2005, the seats reserved for BC category are only 7 and no seat was reserved under BC (C) category for admission into B.Tech (Ag.Engg.), since the fraction is less in the said category. Therefore, no infirmity is discernible in not allowing the petitioner for admission into B.Tech(Ag.Engg.) under B.C.(C) category.

The writ petition is accordingly dismissed.

11.10.2004

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To

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4 Two CD copies.